

## **REMARKS**

Claims 1-18 and 20 are pending. The Examiner's reconsideration of the objections and rejections is respectfully requested in view of the amendments and remarks.

Claims 1, 18 and 20 are objected to for an informality. The term "as generalized" has been amended to "once generalized."

Claims 1-12, 15-18 and 20 have been rejected under 35 U.S.C. 102(b) as being anticipated by Bala (US Patent App. 2004/0130572). The Examiner stated essentially that Bala teaches or suggests all the limitations of Claims 1-12, 15-18 and 20.

Claims 1 and 18 claim, *inter alia*, "recording at least one trace of at least one instance of a procedure, wherein the at least one trace comprises a plurality of steps; simultaneously performing an alignment and generalization of the plurality of steps, wherein the alignment identifies and aligns steps that are equivalent once generalized; and generating the one or more computer-executable procedures consistent with the alignment and generalization." Claim 20 claims, *inter alia*, "performing an alignment of a plurality of user actions of the at least one trace to at least a second trace to determine a plurality of aligned user actions, wherein the alignment identifies and aligns steps that are equivalent once generalized."

Bala teaches an authoring tool that monitors the actions an author performs on a computer and generates a script from it (see paragraph [0031]). Bala does not teach "simultaneously performing an alignment and generalization of the plurality of steps, wherein the alignment identifies and aligns steps that are equivalent once generalized" as claimed in Claims 1 and 18, nor "performing an alignment of a plurality of user actions of the at least one trace to at least a

second trace to determine a plurality of aligned user actions, wherein the alignment identifies and aligns steps that are equivalent once generalized” as claimed in Claim 20. Bala teaches a mere recording of actions performed by an author followed by editing. However, nowhere does Bala teach that editing includes either aligning or generalizing actions, much less an alignment that identifies and aligns steps that are equivalent once generalized, essentially as claimed. Bala is silent on alignment and generalization.

With respect to the Response to Arguments; the rejection relies on the incorporation of “Back”, “Next” and “OK” buttons in a plurality of steps to support the anticipation of “simultaneously performing an alignment and generalization of the plurality of steps.” Applicants respectfully disagree; it cannot automatically be said that two “Next” buttons as disclosed by Bala are generalizable, much less equivalent according to the claimed limitations. For example, nothing in Bala suggests that the result of, for example, two “Next” buttons is equivalent. For example, clicking a “Next” button in one steps may result in committing to a change in a path variable while another “Next” button may result in committing to a change in a path (see paragraphs [0070-0072]). Changes to a path variable and a path are not related to a generalizable step - much less an equivalent steps once generalized (for clarification please see the portions of the Applicant’s specification quoted in the rejection). Furthermore, Bala merely teaches input to the field without suggesting any form of alignment and generalization; simply inputting data into a field is clearly not analogous to the claimed alignment and generalization. Indeed, Bala’s teaching of “atomic steps” teaches away from equivalent steps once generalized (see paragraphs [0065] and [0069]) - the word “atomic” implying that each step is to be treated separately.

In view of the foregoing, Bala fails to teach all the limitations of Claims 1, 18 and 20.

Claims 2-12, 15-17 depend from Claim 1. The dependent claims are believed to be allowable for at least the reasons given for Claim 1. Reconsideration of the rejection is respectfully requested.

Claims 13 and 14 have been rejected under 35 USC 103(a) as being unpatentable over Bala in view of Horvitz (USPN 6,009,452). The Examiner stated essentially that the combined teachings of Bala and Horvitz ('452) teach or suggest all the limitations of Claims 13 and 14.

Claims 13 and 14 depend from Claim 1. The dependent claims are believed to be allowable for at least the reasons given for Claims 1. Reconsideration of the rejection is respectfully requested.

Claims 1, 18 and 20 have been rejected under 35 USC 103(a) as being unpatentable over Horvitz (USPN 6,021,403) in view of Admitted Prior Art (APA). The Examiner stated essentially that the combined teachings of Horvitz ('403) and APA teach or suggest all the limitations of Claims 1, 18 and 20.

Respectfully, the material cited in the rejection has not been labeled as “prior art,” nor has the material been ascribed to another. Therefore, the material is not believed to be prior art for purposes of a rejection under 35 USC 103(a). Indeed, the same paragraph explicitly refers to the passage cited in the rejection as being an “embodiment” of the present invention. Therefore, this foundational work should not, without a statutory basis, be treated as prior art solely because on the basis that the Applicants admit knowledge of their own work.

As noted in the rejection, Horvitz does not explicitly disclose simultaneously performing an alignment and generalization of the plurality of steps, wherein the alignment identifies and

aligns steps that are equivalent once generalized. Therefore, Horvitz fails to teach all the limitations of Claims 1, 18 and 20.

The Examiner's reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the present application, including Claims 1-18 and 20, is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully urged.

Respectfully submitted,

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